



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

BLUE RIDGE REGIONAL OFFICE

901 Russell Drive, Salem, Virginia 24153

(540) 562-6700 FAX (540) 562-6725

www.deq.virginia.gov

Matthew J. Strickler
Secretary of Natural Resources

David K. Paylor
Director
(804) 698-4000

Robert J. Weld
Regional Director

March 30, 2020

Mr. Jeremiah Spence
Plant Manager
Huntington Solutions – HS Radford
604 17th Street
Radford, VA 24141

Location: Radford City
Registration No.: 20543

Dear Mr. Spence:

Attached is a renewal Title V permit to operate your facility pursuant to 9VAC5 Chapter 80 Article 1 of the Virginia Regulations for the Control and Abatement of Air Pollution. The attached permit will be in effect beginning March 30, 2020.

In the course of evaluating the application and arriving at a final decision to issue this permit, the Department of Environmental Quality (DEQ) deemed the application complete on February 12, 2019 and solicited written public comments by placing a newspaper advertisement in *The Roanoke Times* on February 12, 2020. The thirty-day required comment period, provided for in 9VAC5-80-270 expired on March 13, 2020.

This permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and/or civil charges. Please read all permit conditions carefully.

This permit approval to operate shall not relieve Huntington Solutions – HS Radford of the responsibility to comply with all other local, state, and federal permit regulations.

To review any federal rules referenced in the attached permit, the US Government Publishing Office maintains the text of these rules at www.ecfr.gov, Title 40, Part 63.

The Board's Regulations as contained in Title 9 of the Virginia Administrative Code 5-170-200 provide that you may request a formal hearing from this case decision by filing a petition with the

Board within 30 days after this case decision notice was mailed or delivered to you. Please consult the relevant regulations for additional requirements for such requests.

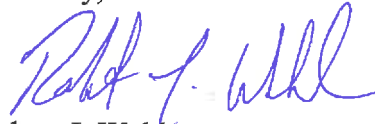
As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you actually received this permit or the date on which it was mailed to you, whichever occurred first, within which to initiate an appeal of this decision by filing a Notice of Appeal with:

David K. Paylor, Director
Department of Environmental Quality
P. O. Box 1105
Richmond, VA 23218

If this permit was delivered to you by mail, three days are added to the thirty-day period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for information on the required content of the Notice of Appeal and for additional requirements governing appeals from decisions of administrative agencies.

If you have any questions concerning this permit, please contact Erin Rau at (540) 562-6773 or erin.rau@deq.virginia.gov.

Sincerely,



Robert J. Weld
Regional Director

Attachment: Permit

cc: Riley Burger, EPA Region III (burger.riley@epa.gov)
Susan Tripp, DEQ OAPP (susan.tripp@deq.virginia.gov)
Timothy Overstreet, DEQ BRRO Air Compliance Inspector (electronic)



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Federal Operating Permit

Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9VAC5-80-50 through 9VAC5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name: Huntington Solutions
Facility Name: HS Radford
Facility Location: 604 17th Street, Radford, VA 24141
Registration Number: 20543
Permit Number: BRRO-20543

This permit includes the following programs:

Federally Enforceable Requirements - Clean Air Act

March 30, 2020

Effective Date

March 29, 2025

Expiration Date



Robert J. Weld, Regional Director

3/30/2020

Signature Date

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Facility Information

Permittee

Huntington Solutions
604 17th Street
Radford, VA 24141

Responsible Official

Jeremiah Spence
Plant Manager

Facility

HS Radford
604 17th Street
Radford, VA 24141

Contact Person

Jeremiah Spence
(540) 392-1088

County-Plant Identification Number: 51-750-00040

Facility Description: NAICS 326140 – Polystyrene Foam Product Manufacturing – This industry comprises establishments primarily engaged in manufacturing polystyrene foam products.

HS Radford uses expandable polystyrene beads (EPS) or a polystyrene/polyethylene moldable foam resin (ARCEL) to produce custom protective packaging products. The facility is a Title V major source of volatile organic compounds (VOC).

Emission Units

Process Equipment to be operated consists of:

Fuel Burning Equipment

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description*	PCD ID	Pollutant Controlled	Applicable Permit Date
B-1	B1	Cleaver Brooks (Natural Gas Fired)	8.375 MMBtu/hr	-	-	-	-
B-2	B2	Superior 4-x-124 (Natural gas and pentane fired with oil backup)	7.0 MMBtu/hr	-	-	-	-
B-4	B4	Superior (Natural gas and pentane fired with oil backup)	13.9 MMBtu/hr	-	-	-	December 18, 2019 Permit Document

Process Equipment – Molded Foam Products (MFP)

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description*	PCD ID	Pollutant Controlled	Applicable Permit Date
PE-1	B4	Hirsch Preex 6000 Batch Pre-Expander	1450 lb/hr	Superior Boiler	B-4	Pentane	January 3, 2020 Permit Document
PE-2	B4	Hirsch Preex 6000 Batch Pre-Expander	1450 lb/hr	Superior Boiler	B-4	Pentane	January 3, 2020 Permit Document
PS	-	EPS and/or ARCEL Pre-Puff Storage	-	-	-	-	January 3, 2020 Permit Document
MP	-	10 Molding Presses	Average of 90 sec/cycle	-	-	-	January 3, 2020 Permit Document
RS	-	EPS/ARCEL Recycling System	440 lbs/hr	-	-	-	January 3, 2020 Permit Document
FGS	-	Finished Goods Storage	-	-	-	-	January 3, 2020 Permit Document

*The Size/Rated capacity and PCD efficiency is provided for informational purposes only, and is not an applicable requirement.

Fuel Burning Equipment Requirements – (B-2 and B-4)

Limitations

1. **Fuel Burning Equipment Requirements (B-2) - Limitations** - The approved fuels for the B-2 Superior boiler are natural gas, pentane, and distillate oil. Distillate oil is defined as fuel oil that meets the specifications for fuel oil numbers 1 or 2 under the American Society for Testing and Materials, ASTM D396 [incorporated by reference, 40 CFR 60.17] "Standard Specification for Fuel Oils." A change in the fuels may require a permit to modify and operate.
(9VAC5-80-110)
2. **Fuel Burning Equipment Requirements (B-4) - Limitations** - The approved fuels for the boiler (B-4) are distillate oil, pentane, and natural gas. A change in the fuel may require a new or amended permit. However, if a change in the fuel is not subject to new source review permitting requirements, this condition should not be construed to prohibit such a change.
(9VAC5-80-110 and Condition 1 of the 12/18/2019 Permit Document)
3. **Fuel Burning Equipment Requirements (B-4) - Limitations** - The distillate oil and natural gas used in the boiler (B-4) shall meet the specifications below:

DISTILLATE OIL which meets the ASTM D396 specification for Grades 1 or 2 fuel oil:
Maximum sulfur content per shipment: 0.2%

NATURAL GAS:
Minimum heat content: 1,000 Btu/cf HHV as determined by ASTM D1826, D2382, or a DEQ-approved equivalent method

(9VAC5-80-110 and Condition 2 of the 12/18/2019 Permit Document)
4. **Fuel Burning Equipment Requirements (B-4) - Limitations** - The permittee shall obtain a certification from the fuel supplier with each shipment of distillate oil. Each fuel supplier certification shall include the following:
 - a. The name of the fuel supplier;
 - b. The date on which the distillate oil was received;
 - c. The quantity of distillate oil delivered in the shipment;
 - d. A statement that the distillate oil complies with the American Society for Testing and Materials specifications ASTM D396 for Grades 1 or 2 Low Sulfur fuel oil, or other DEQ approved fuel specifications;

- e. The sulfur content of the distillate oil;
- f. The method used to determine the sulfur content of the distillate oil;

Fuel sampling and analysis, independent of that used for certification, as may be periodically required or conducted by DEQ may be used to determine compliance with the fuel specifications stipulated in Condition 3. Exceedance of these specifications may be considered credible evidence of the exceedance of emission limits.
(9VAC5-80-110, 40 CFR 60.42c(h) and 60.48c(f), and Condition 3 of the 12/18/2019 Permit Document)

5. **Fuel Burning Equipment Requirements (B-2) – Limitations** - Emissions from the operation of the B-2 Superior boiler shall not exceed the limits specified below:

Particulate Matter	0.6 lbs/MMBtu input
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Sulfur Dioxide	18.5 lbs/hr
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(9VAC5-80-110, 9VAC5-40-900, and 9VAC5-40-930)

6. **Fuel Burning Equipment Requirements (B-4) - Limitations** - Emissions from the operation of the boiler (B-4) shall not exceed the limits specified below:

Particulate Matter	0.49 lbs/MMBtu input
--------------------	----------------------

Sulfur Dioxide	2.9 lbs/hr	12.5 tons/yr
----------------	------------	--------------

CO	1.1 lbs/hr	5.0 tons/yr
----	------------	-------------

NO _x	2.0 lbs/hr	8.8 tons/yr
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(9VAC5-80-110, 9VAC5-40-900, and Condition 5 of the 12/18/2019 Permit Document)

7. **Fuel Burning Equipment Requirements (B-4) – Limitations** - Visible emissions from the boiler (B-4) shall not exceed 10 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 20 percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9VAC5-80-110 and Condition 6 of the 12/18/2019 Permit Document)

8. **Fuel Burning Equipment Requirements (B-1 and B-2) – Limitations** – Visible emissions from the Cleaver Brooks boiler (B-1) and Superior boiler (B-2) stack shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A).

(9VAC5-50-80 and 9VAC5-80-110)

Monitoring

9. **Fuel Burning Equipment Requirements - Visible Emissions Monitoring** - At least once each calendar day that the Superior (B-2) or Superior (B-4) boilers operate while burning oil, an observation of the presence of visible emissions from the applicable boiler stack shall be made. The presence of visible emissions shall require the permittee to:
- Take timely correction action such that the unit resumes operation with no visible emissions, or,
 - Conduct a visible emission evaluation (VEE), in accordance with EPA Method 9 (reference 40 CFR 60 Appendix A) for a minimum of six minutes, to assure visible emissions from the affected unit are 10 percent opacity or less (Boiler B-4) or 20 percent or less (Boiler B-2). If any of the 15-second observations exceeds 10 percent opacity or 20 percent, as applicable, the observation period shall continue for a total of sixty (60) minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the equipment resumes operation with visible emissions less than or equal to 10 percent opacity (Boiler B-4) or 20 percent opacity (Boiler B-2).

The permittee shall maintain an observation log to demonstrate compliance. The logs shall include the date and time of the observations, whether or not there were visible emissions the results of all VEEs, any necessary corrective action, and the name of the observer. If a unit has not been operated burning oil for the entire day, it shall be noted in the log book. (9VAC5-80-110 E)

10. **Fuel Burning Equipment Requirements - Maintenance/Operating Procedures (B-4)** – At all times, including periods of start-up, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate the affected source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions.

The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to the aquatic feed mill:

- Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
- Maintain an inventory of spare parts.
- Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.

- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures, prior to their first operation of such equipment. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance and training shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.

(9VAC5-80-110 and Condition 14 of the 12/18/2019 Permit Document)

Recordkeeping

11. **Fuel Burning Equipment Requirements - Recordkeeping** - The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Blue Ridge Regional Office. These records shall include, but are not limited to:
 - a. Monthly and annual consumption of natural gas, pentane, and distillate oil in the boiler (B-4). Annual throughput shall be calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
 - b. All fuel supplier certifications (B-4).
 - c. Scheduled and unscheduled maintenance and operator training (B-4).
 - d. Results of all stack tests, visible emission evaluations, and performance evaluations (B-2 and B-4)
 - e. Monthly and annual emissions from the boiler B-2 and B-4. Annual emissions shall be calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9VAC5-80-110, 9VAC5-50-50, 40 CFR 60.48c(f), and Conditions 4 and 8 of the 12/18/2019 Permit Document)

Testing

12. **Fuel Burning Equipment Requirements - Emissions Testing** - The boiler (B-4) shall be constructed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. This includes constructing the equipment such that volumetric flow

rates and pollutant emission rates can be accurately determined by applicable test methods and providing a stack or duct that is free from cyclonic flow. Sampling ports shall be provided when requested at the appropriate locations and safe sampling platforms and access shall be provided.

(9VAC5-80-110 and Condition 7 of the 12/18/2019 Permit Document)

13. **Fuel Burning Equipment Requirements – Testing** - If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.
(9VAC5-80-110)

Reporting

14. **Fuel Burning Equipment Requirements (B-4) - Semiannual Fuel Quality Reports** – The permittee shall submit fuel quality reports to the Director, Blue Ridge Regional Office, postmarked no later than the 30th day following the end of each semiannual period ending June 30th and December 31st. If no shipments of distillate oil were received during the semiannual period, the fuel quality report shall consist of the dates included in the semiannual period and a statement that no distillate was received during the semiannual period. If distillate oil was received during the reporting period, the report shall include:
- a. The dates included in the semiannual period.
 - b. A copy of all fuel supplier certifications for all shipments of distillate oil received during the reporting period, indicating the supplier, volume of shipment, sulfur content (weight percent) and date the shipment was received.
 - c. A signed statement from the owner or operator of the facility that the fuel supplier certifications represent all of the distillate oil received during the reporting period. One copy of the semiannual fuel report shall be submitted to:

Associate Director
Office of Air Enforcement and Compliance Assistance (3AP20)
U. S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

(9VAC5-80-110, 9VAC5-50-50 and 40 CFR 60.48c, and Conditions 4 and 9 of the 12/18/2019 Permit Document)

MACT Subpart JJJJJJ – National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources - Fuel Burning Equipment (B-2 & B-4)

15. **MACT Subpart JJJJJJ** – Except where this permit is more restrictive, boilers B-2 and B-4 shall be operated in compliance with the requirements of 40 CFR 63 Subpart JJJJJJ. (9VAC5-80-110)

Work Practice Standards, Emission Reduction Measures and Management Practices

16. **MACT Subpart JJJJJJ** – The permittee shall comply with the applicable requirements of National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources 40 CFR 63, Subpart JJJJJJ as listed in Conditions 17 through 25 by the applicable compliance date as specified in 40 CFR 63.11196. (9VAC5-80-110 and 40 CFR 63.11196)
17. **MACT Subpart JJJJJJ –Emission Limits, Work Practice Standards, Emission Reduction Measures and Management Practices** - The permittee shall meet the emission limits, work practice standards, emission reduction measures and management practices specified in 40 CFR 63.11201. (9VAC5-80-110 and 40 CFR 63.11201)

General Compliance Requirements

18. **MACT Subpart JJJJJJ – General Compliance Requirements** – The permittee shall comply with the General Compliance Requirements specified in 40 CFR 63.11205. (9VAC5-80-110 and 40 CFR 63.11205)

Initial Compliance Requirements

19. **MACT Subpart JJJJJJ –Initial Compliance Requirements** - The permittee shall comply with the Initial Compliance Requirements specified in 40 CFR 63.11210, 40 CFR 63.11211, and 40 CFR 63.11214. (9VAC5-80-110, 40 CFR 63.11210, 40 CFR 63.11211, and 40 CFR 63.11214)
20. **MACT Subpart JJJJJJ –Initial Compliance Requirements** – The permittee shall conduct performance tests and fuel analyses as specified in 40 CFR 63.11212 and 40 CFR 63.11213. (9VAC5-80-110, 40 CFR 63.11212, and 40 CFR 63.11213)

Continuous Compliance Requirements

21. **MACT Subpart JJJJJJ – Continuous Compliance** - The permittee shall conduct subsequent performance tests and fuel analyses as specified in 40 CFR 63.11220. (9VAC5-80-110 and 40 CFR 63.11220)
22. **MACT Subpart JJJJJJ – Continuous Compliance** - The permittee shall demonstrate continuous compliance with the emission limits as specified in 40 CFR 63.11222.

(9VAC5-80-110 and 40 CFR 63.11222)

23. **MACT Subpart JJJJJJ – Continuous Compliance** - The permittee shall demonstrate continuous compliance with the work practice and management practice standards as specified in 40 CFR 63.11223.
(9VAC5-80-110 and 40 CFR 63.11223)

Notifications, Reporting and Recordkeeping Requirements

24. **MACT Subpart JJJJJJ – Notifications, Reporting and Recordkeeping** - The permittee shall submit notifications, maintain the records and submit reports as specified in 40 CFR 63.11225.
(9VAC5-80-110 and 40 CFR 63.11225)

Other Requirements and Information

25. **MACT Subpart JJJJJJ – General Provisions** - The permittee shall comply with the applicable General Provisions as specified in 40 CFR 63.11235.
(9VAC5-80-110 and 40 CFR 63.11235)

Process Equipment Requirements – Molded Foam Products (MFP)

Limitations

26. **Process Equipment Requirements (MFP) – Emission Controls** – VOC emissions from the pre-expanders shall be controlled by a pentane collection system and vented to a boiler in operation for the destruction of volatile organic compound gases. VOC emissions shall be controlled by the proper operation and maintenance of process equipment and the pentane collection system. The pentane collection system and boilers shall be provided with adequate access for inspection and shall be in operation when a pre-expander is operating.
(9VAC5-80-110 and Condition 1 of the 01/03/2020 Permit Document)
27. **Process Equipment Requirements (MFP) - Throughput** - The throughput of recycled foam product processed in the recycling system shall not exceed 100 tons per year, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
(9VAC5-80-110 and Condition 2 of the 01/03/2020 Permit Document)
28. **Process Equipment Requirements (MFP) - Throughput** – The throughput of VOC from the use of polystyrene beads shall not exceed 170 tons per year, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month

period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
(9VAC5-80-110 and Condition 3 of the 01/03/2020 Permit Document)

29. **Process Equipment Requirements (MFP) – Product Specification** - The maximum VOC content of the EPS and ARCEL beads shall not exceed 6.5% and 11.1%, respectively.
(9VAC5-80-110 and Condition 4 of the 01/03/2020 Permit Document)
30. **Process Equipment Requirements (MFP) – Emission Limits** – Emissions from the operation of the foam products expanding and molding equipment (Units PE-1, PE-2, PS, MP, FGS and RS) shall not exceed the limits specified below:

Volatile Organic	170 tons/yr
Compounds	VOC emissions from the use of pentane containing beads.

Annual emission calculated as the sum of each consecutive 12 month period. These emissions are derived from the estimated overall emission contribution from operating limits. Exceedances of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 27, 28, 29, and 31.
(9VAC5-80-110 and Condition 5 of the 01/03/2020 Permit Document)

Recordkeeping

31. **Process Equipment Requirements (MFP) - Recordkeeping** - The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Blue Ridge Regional Office. These records shall include, but are not limited to:
- Monthly and annual VOC (pentane) emissions (in tons) for the facility-wide emissions, using calculation methods approved by the Blue Ridge Regional Office. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
 - Annual throughput of recycled foam product processed through the recycling system, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
 - Product supplier information sufficient to demonstrate compliance with Condition 29.
 - Scheduled and unscheduled maintenance and operator training.

- e. Results of all stack tests, visible emission evaluations, and performance evaluations.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9VAC5-50-50, 9VAC5-80-110 and Condition 6 of the 01/03/2020 Permit Document)

Facility Wide Conditions

32. **Facility Wide Conditions - Testing** - The facility shall be constructed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. This includes constructing the facility/equipment such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and providing a stack or duct that is free from cyclonic flow. Sampling ports shall be provided when requested at the appropriate locations and safe sampling platforms and access shall be provided.

(9VAC5-80-110, 9VAC5-50-30, and Condition 7 of the 01/03/2020 Permit Document)

33. **Facility Wide Conditions - Testing** - If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.

(9VAC5-80-110)

Insignificant Emission Units

34. **Insignificant Emission Units** - The following emission units at the facility are identified in the application as insignificant emission units under 9VAC5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9VAC5-80-720B)	Rated Capacity (9VAC5-80-720C)
None Identified	-	-	-	-

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9VAC5-80-110.

(9VAC5-80-110)

Permit Shield & Inapplicable Requirements

35. **Permit Shield & Inapplicable Requirements** - Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following

requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
None Identified	-	-

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by (i) the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.

(9VAC5-80-110 and 9VAC5-80-140)

General Conditions

36. **General Conditions - Federal Enforceability** - All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

(9VAC5-80-110)

37. **General Conditions - Permit Expiration**

- a. This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9VAC5-80-80, the right of the facility to operate shall be terminated upon permit expiration.
- b. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
- c. If an applicant submits a timely and complete application for an initial permit or renewal under 9VAC5-80-80 F, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9VAC5 Chapter 80, until the Board takes final action on the application under 9VAC5-80-150.
- d. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9VAC5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9VAC5 Chapter 80.

- e. If an applicant submits a timely and complete application under section 9VAC5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9VAC5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
- f. The protection under subsections F 1 and F 5 (ii) of section 9VAC5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9VAC5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)

38. **General Conditions -Recordkeeping and Reporting** - All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:

- a. The date, place as defined in the permit, and time of sampling or measurements;
- b. The date(s) analyses were performed;
- c. The company or entity that performed the analyses;
- d. The analytical techniques or methods used;
- e. The results of such analyses; and
- f. The operating conditions existing at the time of sampling or measurement.

(9VAC5-80-110)

39. **General Conditions -Recordkeeping and Reporting** - Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9VAC5-80-110)

40. **General Conditions -Recordkeeping and Reporting** - The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9VAC5-80-80 G, and shall include:

- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31; and
- b. All deviations from permit requirements. For purpose of this permit, deviations include, but are not limited to:
 - i. Exceedances of emissions limitations or operational restrictions;
 - ii. Excursions from control device operating parameter requirements, as documented by continuous emission monitoring or periodic monitoring, or Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,
 - iii. Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semiannual reporting period."

(9VAC5-80-110)

41. **General Conditions - Annual Compliance Certification** - Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices for the period ending December 31. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. The permittee shall maintain a copy of the certification for five (5) years after submittal of the certification. This certification shall be signed by a responsible official, consistent with 9VAC5-80-80 G, and shall include:

- a. The time period included in the certification. The time period to be addressed is January 1 to December 31;
- b. The identification of each term or condition of the permit that is the basis of the certification;
- c. The compliance status;
- d. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance;

- e. Consistent with subsection 9VAC5-80-110, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period;
- f. Such other facts as the permit may require to determine the compliance status of the source; and
- g. One copy of the annual compliance certification shall be submitted to EPA in electronic format only. The certification document should be sent to the following electronic mailing address:

R3_APD_Permits@epa.gov

(9VAC5-80-110)

- 42. **General Conditions - Permit Deviation Reporting** - The permittee shall notify the Blue Ridge Regional Office within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semiannual compliance monitoring report pursuant to Condition 40 of this permit. (9VAC5-80-110 F. 2)
- 43. **General Conditions - Failure/Malfunction Reporting** - In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall no later than four daytime business hours after the malfunction is discovered, notify the Blue Ridge Regional Office such failure or malfunction and within 14 days provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Blue Ridge Regional Office. (9VAC5-80-110 and 9VAC5-20-180)
- 44. **General Conditions - Severability** - The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit. (9VAC5-80-110)
- 45. **General Conditions - Duty to Comply** - The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is ground for

enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9VAC5-80-110)

46. **General Conditions - Need to Halt or Reduce Activity not a Defense** - It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9VAC5-80-110)
47. **General Conditions - Permit Modification** - A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9VAC5-80-50, 9VAC5-80-1100, 9VAC5-80-1605, or 9VAC5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.
(9VAC80-110, 9VAC5-80-190, and 9VAC5-80-260)
48. **General Conditions - Property Rights** - The permit does not convey any property rights of any sort, or any exclusive privilege.
(9VAC5-80-110)
49. **General Conditions - Duty to Submit Information** - The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
(9VAC5-80-110)
50. **General Conditions - Duty to Submit Information** - Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9VAC5-80-80 G.
(9VAC5-80-110)
51. **General Conditions - Duty to Pay Permit Fees** - The owner of any source for which a permit was issued under 9VAC5-80-50 through 9VAC5-80-300 shall pay annual emissions fees, as applicable, consistent with the requirements of 9VAC5-80-310 through 9VAC5-80-350 and annual maintenance fees, as applicable, consistent with the requirements of 9VAC5-80-2310 through 9VAC5-80-2350.
(9VAC5-80-110, 9VAC5-80-310 et seq., and 9VAC5-80-2310 et seq.)
52. **General Conditions - Fugitive Dust Emission Standards** - During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored,

used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

- a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
- b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
- c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;
- d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
- e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9VAC5-80-110 and 9VAC5-50-90)

53. **General Conditions - Startup, Shutdown, and Malfunction** - At all times, including periods of startup, shutdown, and soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9VAC5-80-110 and 9VAC5-50-20 E)

54. **General Conditions - Alternative Operating Scenarios** - Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9VAC5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9VAC5 Chapter 80, Article 1.

(9VAC5-80-110)

55. **General Conditions - Inspection and Entry Requirements** - The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

- a. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
- b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
- c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
- d. Sample or monitor at reasonable times' substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9VAC5-80-110)

56. **General Conditions - Reopening for Cause** - The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9VAC5-80-80 F. The conditions for reopening a permit are as follows:

- a. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- b. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
- c. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9VAC5-80-110 D.

(9VAC5-80-110)

57. **General Conditions - Permit Availability** - Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9VAC5-80-110 and 9VAC5-80-150)

58. **General Conditions – Permit Availability** – The permittee shall keep a copy of the 12/18/2019 NSR permit document on the premises of the facility to which it applies. (9VAC5-80-110 and Condition 19 of the 12/18/2019 Permit Document)
59. **General Conditions – Permit Availability** – The permittee shall keep a copy of the 01/03/2020 NSR permit document on the premises of the facility to which it applies. (9VAC5-80-110 and Condition 15 of the 01/03/2020 Permit Document)

60. **General Conditions - Transfer of Permits**

- a. No person shall transfer a permit from one location to another, unless authorized under 9VAC5-80-130, or from one piece of equipment to another.
- b. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9VAC5-80-200.
- c. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9VAC5-80-200.

(9VAC5-80-110 and 9VAC5-80-160)

61. **General Conditions - Permit Revocation or Termination for Cause** - A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9VAC5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations. (9VAC5-80-110, 9VAC5-80-190 C, and 9VAC5-80-260)
62. **General Conditions - Duty to Supplement or Correct Application** - Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit. (9VAC5-80-110 and 9VAC5-80-80 E)

63. **General Conditions - Stratospheric Ozone Protection** - If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.
(9VAC5-80-110 and 40 CFR Part 82)
64. **General Conditions - Asbestos Requirements** - The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).
(9VAC5-60-70 and 9VAC5-80-110)
65. **General Conditions - Accidental Release Prevention** - If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(9VAC5-80-110 and 40 CFR Part 68)
66. **General Conditions - Changes to Permits for Emissions Trading** - No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9VAC5-80-110)
67. **General Conditions - Emissions Trading** - Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:
 - a. All terms and conditions required under 9VAC5-80-110, except subsection N, shall be included to determine compliance.
 - b. The permit shield described in 9VAC5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
 - c. The owner shall meet all applicable requirements including the requirements of 9VAC5-80-50 through 9VAC5-80-300.

(9VAC5-80-110)